

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**May 29, 2025**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Fernando Francisco

Case Number: 0980 1:21CR02015-SAB-1

Address of Offender: [REDACTED], Toppenish, Washington 98948

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 23, 2022

Original Offense: Felon in Possession of Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(2)

Original Sentence: Prison - 146 days
TSR - 36 months

Type of Supervision: Term of Supervised Release

Asst. U.S. Attorney: Todd Swenson

Date Supervision Commenced: August 23, 2022

Defense Attorney: Craig Webster

Date Supervision Expires: August 22, 2025

PETITIONING THE COURT

To issue a summons.

On August 24, 2022, supervised release conditions were reviewed and signed by Mr. Francisco, acknowledging an understanding of his requirements and conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition #4:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Mr. Francisco is alleged to have violated his conditions of supervised release by consuming a controlled substance, methamphetamine, on or before May 18, 2025.

On May 23, 2025, Mr. Francisco reported to the probation office as instructed. He provided a urine sample that was presumptive positive for alcohol, marijuana and methamphetamine. At that time, he signed an admission of use form acknowledging use of alcohol, marijuana and methamphetamine on or about May 18, 2025. This drug test was sent to Abbott Laboratory for confirmation and the drug test report is pending.

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- 2 **Special Condition #4:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Francisco is alleged to have violated his conditions of supervised release by consuming a controlled substance, marijuana, on or before May 18, 2025.

Please refer to narrative found in violation #1.

- 3 **Special Condition #5:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Francisco is alleged to have violated his conditions of supervised release by consuming alcohol on or before May 18, 2025.

Please refer to narrative found in violation #1.

- 4 **Special Condition #5:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Francisco is alleged to have violated his conditions of supervised release by consuming alcohol on or before May 27, 2025.

On May 27, 2025, Mr. Francisco reported to the probation office as instructed. He provided a urine sample that was presumptive positive for alcohol. He denied use. This drug test was sent to Abbott Laboratory for confirmation and the drug test report is pending.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 28, 2025

s/Maria Balles

Maria Balles
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

5/29/2025

Date